

FILED<sup>4</sup>

FEB 27 2004

**BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF THE STATE OF MISSOURI**

Missouri Public  
Service Commission

|                                               |   |                                     |
|-----------------------------------------------|---|-------------------------------------|
| In the Matter of the Tariff Filing of Cinergy | ) |                                     |
| Communications Company to Modify Tariff       | ) | <b><u>Case No. XT-2004-0322</u></b> |
| Language Concerning Taxes and Add a New       | ) | Tariff File No. JX-2004-0831        |
| Regulation Regarding Regulatory Charges       | ) |                                     |

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**Motion to Withdraw Proposed Tariff Revisions**

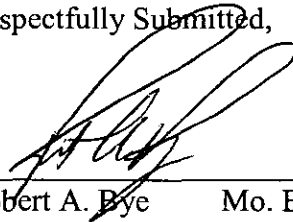
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COMES NOW Cinergy Communications Company ("CCC"), by its undersigned counsel, and hereby respectfully requests that this Commission grant CCC's Motion to Withdraw Proposed Tariff Revisions. In support of this request, CCC states as follows:

On January 7, 2004, CCC filed a proposed tariff designed to modify existing tariff language concerning taxes and to add new language regarding regulatory charges. On January 29, the Missouri Public Service Commission reviewed the proposed tariff, Tariff File No. JX-2004-0831, during its regular Agenda session. Following the session, the proposed tariff was suspended to allow for additional investigation. After further research, CCC has determined that the proposed modifications had been inappropriately filed with the Missouri Public Service Commission.

WHEREFORE, Cinergy Communications Company requests that this Commission grant its Motion to Withdraw Proposed Tariff Revisions, and further requests that the pending investigation and case be closed accordingly.

Respectfully Submitted,



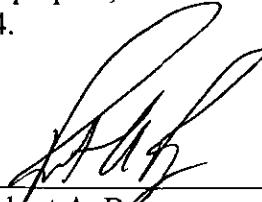
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COUNSEL FOR CINERGY  
COMMUNICATIONS COMPANY

**CERTIFICATE OF SERVICE**

I, Robert A. Bye, do hereby certify that an original and eight (8) copies of this document have been mailed by first class mail, postage prepaid, to the Missouri Public Service Commission on this 24<sup>th</sup> day of February, 2004.

A handwritten signature in black ink, appearing to read 'R. A. Bye', is written over a horizontal line.

Robert A. Bye